

**BOARD OF REAL ESTATE APPRAISERS
BOARD MEETING MINUTES – February 7, 2006**

MEMBERS PRESENT

Kenneth Charest
Bruce Bell
Joseph Herlihy
William Dobrowolski
James Murphy
Daniel Shipley

MEMBERS ABSENT

Walter Bowditch

OTHERS PRESENT

Carol Leighton, Administrator
Andrew Black, Assistant Attorney General
Kim Baker-Stetson, Licensing Clerk
Susan Greenlaw, Board Clerk

Location: Androscoggin Room **Start:** 9:00 a.m. **Adjourn:** 12:45 p.m.

CALL TO ORDER

The meeting was called to order at 9:00 a.m.

AGENDA MODIFICATIONS

A motion was made by Daniel Shipley to add the following to the agenda; seconded by James Murphy. Unanimous.

- #REA-225
- #REA-208 – additional information

OLD BUSINESS

Action on Minutes of January 3, 2006 Meeting

A motion was made by James Murphy to approve the minutes of the January 3, 2006 meeting with one typographical error; seconded by William Dobrowolski. Unanimous.

Action on Tabled Applications/Items

No applications for review.

NEW BUSINESS

Administrator's Report

L. D. 1919 – Public hearing scheduled for February 7, 2006 at 1:00 p.m.

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Complaint Officer's Report

#REA-208: A motion was made by Bruce Bell to find her in compliance with the Consent Agreement; seconded by William Dobrowolski. Bell, Charest, Dobrowolski, and Shipley voted in the affirmative; Murphy opposed; Herlihy abstained. Motion carried.

#REA-221/222: A motion was made by Bruce Bell that there is sufficient evidence to find grounds for disciplinary action; seconded by James Murphy. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

A motion was made by James Murphy to find grounds for violations; seconded by William Dobrowolski. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

#REA-221 (trainee): A motion was made by William Dobrowolski to offer a Consent Agreement to include the following: (1) admission to violations; (2) \$1500 fine; (3) 15 hour USPAP course; (4) 30 hour basic appraisal course; (5) letter of reprimand (6) 90 day suspension; seconded by James Murphy. Bell, Charest, Dobrowolski, and Shipley voted in the affirmative; Murphy opposed; Herlihy abstained. Motion carried.

#REA-222 (supervisor): A motion was made by James Murphy to offer a Consent Agreement to include the following: (1) 270 day suspension; (2) \$4500 fine; (3) shall not supervise trainees for two years following suspension period; (4) investigative costs not to exceed (5) 15 hour USPAP course; (6) 30 hour basic appraisal course; seconded by William Dobrowolski. Bell, Charest, Dobrowolski, and Shipley voted in the affirmative; Murphy opposed; Herlihy abstained. Motion carried.

#REA-235/236: A motion was made by James Murphy that there is sufficient evidence to find grounds for disciplinary action; seconded by William Dobrowolski. Bell, Charest, Dobrowolski, and Shipley voted in the affirmative; Murphy opposed; Herlihy abstained. Motion carried.

A motion was made by Bruce Bell to find grounds for violations; seconded by James Murphy. Bell, Charest, Dobrowolski, and Shipley voted in the affirmative; Murphy opposed; Herlihy abstained. Motion carried.

#REA-235 (trainee): A motion was made by James Murphy to offer a Consent Agreement to include the following: (1) admission to violations; (2) \$1500 fine; (3) 30 day suspension; (4) 15 hour USPAP course within six months; (4) 30 hour basic appraisal course within six months; (5) letter of reprimand; seconded by William Dobrowolski. Bell, Dobrowolski, Murphy, and Shipley voted in the affirmative; Charest opposed; Herlihy abstained. Motion carried.

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#REA-236 (supervisor): A motion was made by William Dobrowolski to offer a Consent Agreement to include the following: (1) admission to violations; (2) \$4500 fine; (3) investigation costs not to exceed \$1000; (4) 270 day suspension; (5) Shall not supervise trainees for two years following suspension period; (6) 15 hour USPAP course; (7) 30 hour basic appraisal course not to duplicate from previous agreement; (8) letter of reprimand; seconded by James Murphy. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

#REA-238: A motion was made by Bruce Bell that there is sufficient evidence to find grounds for disciplinary action; seconded by James Murphy. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

A motion was made by James Murphy to offer a Consent Agreement to include the following: (1) admission to violations; (2) \$3000 fine; (3) investigation cost not to exceed \$1000; (4) letter of reprimand (5) 15 hour USPAP course within three months; seconded by Daniel Shipley. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

#2005-REA-2330: A motion was made by William Dobrowolski to dismiss upon finding no violation of Board statute or rules and issue a Letter of Guidance regarding violation of 14014(1)(E); the Letter of Guidance shall remain in the licensee's file for a period of one year; seconded by James Murphy. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

#REA-225: A motion was made by William Dobrowolski to reject the offer from the licensee's attorney to amend the Consent Agreement; seconded by James Murphy. Bell, Charest, Dobrowolski, Murphy, and Shipley voted in the affirmative; none opposed; Herlihy abstained. Motion carried.

Board Decisions

Lisa Atkins: Shipley recused and left the room. A motion was made by James Murphy to approve the Order of Continuance in the matter of Lisa Atkins and schedule a new hearing for March 7, 2006; seconded by Joseph Herlihy. Bell, Charest, Dobrowolski, Herlihy, and Murphy voted in the affirmative; none opposed. Motion carried.

Kevin M. King: A motion was made by James Murphy to approve the Order in the matter of Kevin M. King; seconded by William Dobrowolski. Unanimous.

Lionel Roy: A motion was made by William Dobrowolski to approve the Order in the matter of Lionel Roy; seconded by James Murphy. Unanimous.

Review and Action on Applications and Education

Kim Baker-Stetson presented her report on activity between January 3, 2006 and February 7, 2006.

No new applications for review.

Correspondence

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Letter to Appraisal Subcommittee dated January 13, 2006: The Board's Administrator sent a letter to the Subcommittee notifying them that the Board requested the Department take the appropriate steps to reissue the licenses of the licensees at issue and amend the web site to include the statement "Not Eligible to Appraise Federally Related Transactions". The request to modify the license system is pending.

AARO Newsletter – AARO Spring Conference: A motion was made by James Murphy to authorize out of state travel for Carol Leighton to attend the AARO 2006 Spring Conference scheduled for April 8-10, 2006 in San Antonio, Texas; seconded by Joseph Herlihy. Unanimous.

Next Meeting Scheduled for March 7, 2006

OTHER BUSINESS

ADJOURN

Being no further board business the meeting was adjourned at 12:45 p.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk